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C O N F I D E N T I A L HANOI 000730

SIPDIS

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TAGS: [PHUM](#) [PREL](#) [VM](#)

SUBJECT: POLITICAL ACTIVIST LE THI CONG NHAN WILL NOT BE
RELEASED; BUI KIM THANH RELEASED TODAY

Classified By: Ambassador Michael W. Michalak. Reasons 1.4 (b) and (d)

¶1. (C) Summary. The Ministry of Public Security (MPS) has contacted post concerning two persons of concern, Le Thi Cong Nhan and Bui Kim Thanh, both mentioned during our recent Human Rights Dialogue. The U.S. Government has pressed for the release of both individuals. According to an MPS official, Le Thi Cong Nhan will not be released from prison at present. As for the case of Bui Kim Thanh, post has confirmed with her son that she was released this morning from a mental institution to begin processing for P-1 status and departure for the United States (a fairly lengthy process). Regarding Le Thi Cong Nhan, MPS officials indicated that she is not interested in leaving Vietnam and is not "cooperating" with prison authorities. Therefore, she will remain in prison, despite the fact she is technically eligible for parole. End Summary.

MPS Not Willing to Release Le Thi Cong Nhan

¶2. (C) On June 17, MPS Senior Colonel Nao Tam Chau informed poloff that Le Thi Cong Nhan will not be released at this time. Chau said that, although she is technically eligible for parole, having already served one-third of her prison sentence, the procedure for early release requires that the head of the prison request that action. According to Chau, the head of the prison reported that she has not made any "progress" and therefore he did not find her eligible for early release. Chau added that they had offered to release her on the condition that she go to the U.S., but she refused that offer.

Bui Kim Thanh: MPS Facilitates Resettlement Option

¶3. (C) Concerning the case of Ms. Bui Kim Thanh, on June 16, Chau asked poloff to provide MPS with a written summary of the steps needed in order to process her resettlement to the U.S. Prior to her incarceration in a mental institution, Ms. Thanh had been authorized for P-1 processing. On June 17, post provided MPS and MFA with a diplomatic note detailing the series of interviews and examinations that are needed in order to determine Ms. Thanh's eligibility for resettlement to the U.S. Chau informed poloff on June 18 that MPS agreed with the diplomatic note "in principle" and referred poloff to MFA for further consultation.

¶4. (C) Post has since confirmed with Ms. Thanh's son that she was released this morning. Her other son has brought her to the IOM office in Ho Chi Minh City to begin resettlement processing.

Comment

¶5. (C) Post continues to press for the release of Le Thi Cong Nhan. It is interesting to note that the Vietnamese appear

willing to see her leave Vietnam, but we are not surprised that she is unwilling to go. We have made it very clear that we will not support any action to have her leave against her will. With regard to Bui Kim Thanh, she has previously requested "P-1" refugee status to travel to the United States. We will begin processing her case immediately, although a final determination can be a lengthy process.

MICHALAK